

REMARKS

Claims 51-69 are presented for examination in the instant application. The Examiner has rejected claims 54-69, 51 and 52 under 35 U.S.C. 112, first paragraph. Additionally, claims 51-69 have been rejected under 35 U.S.C. 103(a) as being allegedly unpatentable over Lidow (2002/0194057). Claims 54, 56, 58, 62, 64, and 66 have been amended to overcome potential issues raised by the Examiner under 35 U.S.C. 112, first paragraph. The Applicants submit that the amendments to claims 54, 56, 58, 62, 64, and 66 are proper because they place the application in better form for Appeal. No new matter has been entered in this amendment.

Rejections under 35 U.S.C. 112, first paragraph

Claims 54-69, 51 and 52 have been rejected under 35 U.S.C. 112, first paragraph, as allegedly failing to comply with the written description requirement. Claims 54, 56, 58, 62, 64, and 66 have been amended in a non-narrowing manner to better clarify that which is regarded as the invention. Specifically, the Examiner states that, with respect to claims 54 and 62, that the Applicants' disclosure does not recite receiving supplier capability statements by enterprise sites and forwarding the supplier capability statements by the sites. The Applicants have accordingly amended claims 54 and 62 to recite "aggregating demand received at a server of the enterprise, from *a group at each of the enterprise sites* associated with the enterprise, the demand comprising materials requirements *common to the group*...receiving supplier capability statements over the network, the supplier capability statements *received by the group* at each of the enterprise sites from corresponding suppliers in response to the transmitting." Support for these amendments may be found throughout the specification and drawings, and in particular, to page 11, lines 23-26 which states "[t]he unconstrained forecast represents an aggregated demand or projected forecast *received from a particular group which may be scattered among a plurality of enterprise site locations*." Support may also be found on page 12, lines 1-3 which states that the unconstrained forecast is "aggregated and provided to each supplier at the business enterprise group level to which each supplier will respond with a supply capability statement"

and on page 12, lines 14-16 which states that "suppliers provide their supply capability responses for the unconstrained forecast *to the originating group* via the web."

The Examiner also states with respect to claims 54 and 62, that the Applicants' disclosure does not show a constrained forecast is generated which is "specific to each of the enterprise sites". The Examiner then states that the specification contemplates a forecast *specific to a group* that may be distributed over several sites. The Applicants have amended claims 54 and 62 to recite "generating a constrained forecast; and transmitting the constrained forecasts to suppliers at the enterprise site level over the network." Support for this amendment may be found throughout the specification and drawings, and in particular, on page 9, lines 4-8 which states "[r]esponses received by these suppliers are further exploited by server 120 resulting in the generation of a constrained forecast which is *transmitted to suppliers at the individual site level*" and on page 12, lines 14-16, which states "suppliers provide their supply capability responses for the unconstrained forecast to the originating group via the web."

Accordingly, because the features recited in amended claims 54 and 62 recite limitations that are fully supported by the specification and drawings, the Applicants respectfully request reconsideration and withdrawal of the rejections under 35 U.S.C. 112.

With respect to claims 56 and 64, the Examiner states that the Applicants' disclosure does not provide support for the limitation "exploding the aggregated demand into time-bucketed materials requirements *for each enterprise site*." The Examiner then states that the disclosure shows that "the unconstrained forecast is made *for the group as a whole*" (Final Office Action dated June 17, 2005, page 3). The Applicants have amended claims 56 and 64 in accordance with the Examiner's comments to recite "exploding the aggregated demand into time-bucketed materials requirements *at a group level*." Support may be found throughout the specification and drawings, and in particular, on page 11, lines 23-26, which states "[t]he unconstrained forecast represents an aggregated demand or projected forecast received from a particular group which may scattered among a plurality of enterprise site locations" and also on page 12, lines 7-10, which states "[a]n unconstrained forecast includes the aggregated customer demand exploded into time-bucketed materials requirements."

Accordingly, because the features recited in amended claims 56 and 64 recite limitations that are fully supported by the specification and drawings, the Applicants respectfully request reconsideration and withdrawal of the rejections under 35 U.S.C. 112.

With respect to claims 58 and 66, the Examiner states that the Applicants disclosure does not provide that the supply capability statements include the greatest amount of material each supplier can make available for corresponding enterprise sites. The Applicants have amended claims 58 and 66 to recite "the supplier capability statements include a greatest amount of materials each of the suppliers is able to make available *to the group*." Support may be found throughout the specification and the drawings, and in particular, on page 12, lines 14-19.

Accordingly, because the features recited in amended claims 58 and 66 recite limitations that are fully supported by the specification and drawings, the Applicants respectfully request reconsideration and withdrawal of the rejections under 35 U.S.C. 112.

Claims 51, 52, 55, 57, and 59-61 depend from claim 54. Claims 63, 65, and 67-69 depend from claim 62. Claims 51, 52, 55, 57, 69-61, 63, 65, and 67-69 were rejected due to their dependencies on claims 54 and 62. The Applicants respectfully request reconsideration and withdrawal of the rejections of claims 51, 52, and 54-69 under 35 U.S.C. 112, first paragraph.

Conclusion

It is believed that the foregoing amendments and remarks fully comply with the Office Action and that claims 51-69 are in condition for allowance. Accordingly, reconsideration and allowance is respectfully requested. In the event the Examiner has any questions regarding this Amendment, Applicants' attorneys respectfully request the courtesy of a telephone conference.

In the event that there are any additional fees with respect to this Amendment, Applicants' attorneys respectfully request that such fees be withdrawn from Deposit Account No. 50-0510.

Respectfully submitted,  
ROBERTO AYALA ET AL.

CANTOR COLBURN LLP  
Applicants' Attorneys

By: Marisa J. Dubuc  
Marisa J. Dubuc  
Registration No. 46,673  
Confirmation No. 2135  
Customer No. 48915

Date: September 7, 2005  
Address: 55 Griffin Road South, Bloomfield, CT 06002  
Telephone No: (860) 286-2929  
Fax No: (860) 286-0115